

## Committee Agenda

Committee: Senate Agriculture and Natural Resources  
Room: 464  
Date: Tuesday, March 1, 2011  
Time: 9:00 AM

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Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

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Joint meeting with House Ag & Natural Resources to discuss summer studies.

Breakfast served by Ag Unity..

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SHANTEL KREBS, Chair

86<sup>th</sup> Legislative Session – 2011

Committee: Senate Commerce and Energy

Tuesday, March 01, 2011

P - Present  
E - Excused  
A - Absent

Roll Call

P Adelstein  
E Buhl  
P Johnston  
P Lederman  
P Rave  
P Nygaard, Vice-Chair  
P Nelson (Tom), Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by vice-chair, Senator Eldon Nygaard.

MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 24, 2011

Moved by: Rave  
Second by: Johnston  
Action: Prevailed by voice vote.

HB 1033: provide for the registration and regulation of appraisal management companies.

Presented by: Sherry Bren, Department of Labor  
Proponents: Craig Steinley, Professional Appraisers Association  
James Dunlap, SD Chapter ASFMRA

MOTION: DO PASS HB 1033

Moved by: Johnston  
Second by: Rave  
Action: Prevailed by roll call vote. (5-0-2-0)

Voting Yes: Adelstein, Johnston, Lederman, Rave, Nygaard

Excused: Buhl, Nelson (Tom)

HB 1144: create a statutory lien for certain health care providers.

Presented by: Senator Tom Hansen

Proponents: Representative Roger Hunt  
Greg Lowenberg, SD Chiropractors

Opponents: Dave Hewett, SD Association of Healthcare Organizations  
Steve Siegel, SD Trial Lawyers Association

MOTION: DEFER HB 1144 TO THE 41<sup>ST</sup> LEGISLATIVE DAY

Moved by: Johnston

Second by: Adelstein

Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DO PASS HB 1144

Moved by: Lederman

Second by: Nelson (Tom)

Action: Failed by roll call vote. (3-3-1-0)

Voting Yes: Lederman, Nygaard, Nelson (Tom)

Voting No: Adelstein, Johnston, Rave

Excused: Buhl

MOTION TO DEFER HB 1144 TO THE 41<sup>ST</sup> LEGISLATIVE DAY

Moved by: Johnston

Second by: Adelstein

Action: Failed by roll call vote. (3-3-1-0)

Voting Yes: Adelstein, Johnston, Rave

Voting No: Lederman, Nygaard, Nelson (Tom)

Excused: Buhl

MOTION: DO NOT PASS HB 1144

Moved by: Nelson (Tom)

Second by: Adelstein

Action: Prevailed by roll call vote. (5-1-1-0)

Voting Yes: Adelstein, Johnston, Rave, Nygaard, Nelson (Tom)

Voting No: Lederman

Excused: Buhl

HB 1148: revise the minimum wage law for certain seasonal employees and to declare an emergency.

Presented by: Representative Mike Verchio

Proponents: Shawn Lyons, SD Retailers Association  
James Marsh, Department of Labor

MOTION: DO PASS HB 1148

Moved by: Johnston

Second by: Rave

Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Adelstein, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

Excused: Buhl

HB 1180: revise and repeal certain outdated provisions regarding land surveying.

Presented by: Representative Mark Willadsen

Proponents: Todd Kolden, Department of Labor

MOTION: DO PASS HB 1180

Moved by: Adelstein

Second by: Lederman

Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Adelstein, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

Excused: Buhl

MOTION: PLACE HB 1180 ON CONSENT CALENDAR

Moved by: Adelstein

Second by: Rave

Action: Prevailed by voice vote.

HB 1256: revise certain provisions regarding the sale of new or used vehicles and the sale of certain emergency vehicles.

Presented by: Representative Stace Nelson

Proponents: Harold Boer, Central States Fire App., Lyons

MOTION: DO PASS HB 1256

Moved by: Lederman

Second by: Rave

Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Adelstein, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

Excused: Buhl

MOTION: PLACE HB 1256 ON CONSENT CALENDAR

Moved by: Nelson (Tom)

Second by: Rave

Action: Prevailed by voice vote.

MOTION: ADJOURN

Moved by: Rave

Second by: Lederman

Action: Prevailed by voice vote.

Lois Henry  
Committee Secretary

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Eldon Nygaard, Vice-Chair

## Committee Agenda

Committee: Senate Education  
Room: 423  
Date: Tuesday, March 1, 2011  
Time: 8:00 AM

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[HB 1093](#)\* **repeal certain education mandates to allow the institutions under the control of the Board of Regents to operate more economically.**  
Representatives Munsterman, Hubbel, Lust, Novstrup (David), and Sly and Senators Kraus and Krebs

[HB 1208](#)\* **repeal certain education mandates to enable the public school system to operate more economically, and to allow parents the option to receive certain notices from public schools via electronic mail.**  
Representatives Gosch and Lust and Senators Olson (Russell) and Brown

[HB 1229](#) **repeal the requirement for a school district with an enrollment of one hundred or fewer students to reorganize.**  
The Committee on Education at the request of the Office of the Governor

### BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

[HB 1228](#)\* **increase the bonding limit for the four technical institutes.**  
The Committee on Education at the request of the Office of the Governor

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COOPER GARNOS, Chair

86<sup>th</sup> Legislative Session – 2011

Committee: Senate Judiciary

Tuesday, March 01, 2011

P - Present  
E - Excused  
A - Absent

Roll Call

P Begalka  
P Hunhoff (Jean)  
P Nygaard  
P Vehle  
E Buhl  
P Cutler, Vice-Chair  
P Tieszen, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Craig Tieszen, Chair.

MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 24, 2011

Moved by: Vehle  
Second by: Hunhoff (Jean)  
Action: Prevailed by voice vote.

HB 1062: adopt the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act.

Presented by: Representative David Lust  
Proponents: Sam Wilson, AARP

MOTION: DO PASS HB 1062

Moved by: Cutler  
Second by: Vehle  
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Begalka, Hunhoff (Jean), Nygaard, Vehle, Cutler, Tieszen

Excused: Buhl

HB 1155: revise various trust provisions.

Presented by: Representative David Lust  
Proponents: Bret Afdahl, SD Division of Banking

MOTION: DO PASS HB 1155

Moved by: Nygaard  
Second by: Vehle  
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Begalka, Hunhoff (Jean), Nygaard, Vehle, Cutler, Tieszen

Excused: Buhl

MOTION: PLACE HB 1155 ON CONSENT CALENDAR

Moved by: Nygaard  
Second by: Cutler  
Action: Prevailed by voice vote.

HB 1154: require persons convicted of crimes involving domestic violence to support domestic violence programs.

Presented by: Representative David Lust  
Proponents: Dianna Miller, SD Network Against Family Violence & Sexual Assault  
Lynn Valenti, Department of Social Services

MOTION: DO PASS HB 1154

Moved by: Vehle  
Second by: Nygaard  
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Begalka, Hunhoff (Jean), Nygaard, Vehle, Cutler, Tieszen

Excused: Buhl

HB 1067: revise the lookback period for the enhancement of penalties for multiple assaults and violations of protection orders.

Presented by: Representative David Novstrup



Proponents: Dianna Miller, SD Network Against Family Violence & Sexual Assault  
Lynn Valenti, Department of Social Services

Opponents: Traci Smith, SD Association of Criminal Defense Lawyers

MOTION: DO PASS HB 1067

Moved by: Nygaard

Second by: Cutler

Action: Prevailed by roll call vote. (5-1-1-0)

Voting Yes: Hunhoff (Jean), Nygaard, Vehle, Cutler, Tieszen

Voting No: Begalka

Excused: Buhl

HB 1069: define electronic communication devices for certain crimes involving threatening or harassing calls.

Presented by: Senator Mike Vehle

Proponents: Chuck Schroyer, SD States Attorneys Association

MOTION: DO PASS HB 1069

Moved by: Cutler

Second by: Nygaard

Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Begalka, Hunhoff (Jean), Nygaard, Vehle, Cutler, Tieszen

Excused: Buhl

MOTION: PLACE HB 1069 ON CONSENT CALENDAR

Moved by: Nygaard

Second by: Cutler

Action: Prevailed by voice vote.

HB 1145: provide for the identification of the law applicable to certain claims for damages.

Presented by: Representative Roger Hunt

Proponents: Thomas Kapusta, The Evangelical Lutheran Good Samaritan Society  
Bob Riter Jr., The Evangelical Lutheran Good Samaritan Society

Opponents: Dave Hewett, SD Association of Healthcare Organizations  
Dennis Duncan, SD Health Care Association  
Lorin Pankratz, Sanford Health  
David Owen, SD Chamber of Commerce & Industry  
Steve Siegel, SD Trial Lawyers Association

Testimony on HB 1145 to continue on Wednesday, March 2, 2011.

HB 1040: provide jurisdiction for clerk magistrates to accept certain penalties.

Presented by: Greg Sattizahn, Unified Judicial System

MOTION: DO PASS HB 1040

Moved by: Nygaard  
Second by: Cutler  
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Begalka, Hunhoff (Jean), Nygaard, Vehle, Cutler, Tieszen

Excused: Buhl

MOTION: PLACE HB 1040 ON CONSENT CALENDAR

Moved by: Nygaard  
Second by: Cutler  
Action: Prevailed by voice vote.

THE CHAIR PLACED THE COMMITTEE IN RECESS UNTIL 4:00 PM, WEDNESDAY, MARCH 2, 2011, OR UNTIL 10 MINUTES AFTER THE SENATE FLOOR SESSION ENDS ON MARCH 2.

Rena Ortbahn  
Committee Secretary

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Craig Tieszen, Chair